

# MEMORANDUM

**To:** CBA-NB Council

**From:** Susan K. Layton

**Date:** June 28<sup>th</sup>, 2007

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**Re: Real Property Section Report**

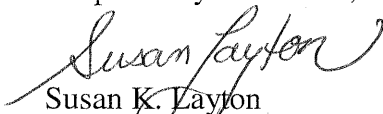
As Chair of the Real Property Section, I would like to update the New Brunswick Council of the CBA on some issues and initiatives that the CBA Real Property Section has been working on over the past few months.

The Communications Committee of the Real Property Section is working diligently on setting up a national database for research and articles. Topics that are currently being considered include articles on Condominium law, GST/HST and litigation that is currently ongoing in Nova Scotia with respect to solicitors engaging in the sale of real estate. This Committee is also working on organizing a national newsletter to be published on a regular basis. The purpose of the newsletter will be to update real estate practitioners across the country on developments that are taking place in other provinces.

One particular issue that is taking up much of the Section's time is with respect to a resolution that was first passed in 2000 that restricts the title insurance company, First Canadian Title, from advertising or sponsoring CBA events. The 2000 resolution was passed because the company's business practices were considered by some to be inconsistent with the interests of the public and the profession. Rescinding the 2000 resolution and potentially adopting an alternate resolution was considered both at the CBA council meeting in St. John's and again at the meeting in Mount Tremblant. The restrictions imposed by the 2000 motion were considered by some to be unfair. This particular issue has resulted in much discussion and is expected to be a lively topic for debate for the upcoming meeting in Calgary.

In June, 2007, the Real Property Section also received confirmation that the CBA had decided to enter a five year agreement with the company, Emergis, as the CBA's preferred supplier for real estate mortgage transactions. Under this Agreement, CBA members receive a 20% discount on all transactions that use the product. The Company expects to have a bilingual product available in the Atlantic Provinces by 2008.

Respectfully Submitted,



Susan K. Layton

Real Property Section Chair – New Brunswick